

John L. Burris, Esq. (SBN: 69888)  
[john.burris@johnburrislaw.com](mailto:john.burris@johnburrislaw.com)  
LAW OFFICES  
7677 Oakport Street, Ste. 1120  
Oakland, CA 94621

Gayla B. Libet, Esq. (SBN: 109173)  
[glibet@sbcglobal.net](mailto:glibet@sbcglobal.net)  
LAW OFFICES  
486 41<sup>st</sup> Street, #3  
Oakland, CA 94609

Attorneys for Plaintiffs  
LIONEL ALLEN, RALPH DAVIS, MICHAEL OATEZ,  
MONICA OATEZ, M.O., MICHAEL FLEURY and JOHNNY STOKES

Kimberly E. Colwell, Esq. (SBN: 127604)  
[kcolwell@meyersnave.com](mailto:kcolwell@meyersnave.com)  
Tricia L. Hynes, Esq. (SBN: 212550)  
[thynes@meyersnave.com](mailto:thynes@meyersnave.com)  
MEYERS, NAVE, RIBACK, SILVER & WILSON  
555 12<sup>th</sup> Street, Suite 1500  
Oakland, CA 94607  
Telephone: (510) 808-2000  
Facsimile: (510) 444-1108

Attorneys for Defendants  
CITY OF SAN LEANDRO and  
CHIEF JOSEPH KITCHEN

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

LIONEL N. ALLEN; RALPH P. DAVIS;  
MICHAEL OATEZ; MONICA OATEZ;  
M.O., a minor, by and through her guardian ad  
litem, MICHAEL OATEZ; MICHAEL A.  
FLEURY; and, JOHNNY D. STOKES,

Plaintiffs,

v.

CITY OF SOUTH SAN FRANCISCO, a  
municipal corporation; JOSEPH KITCHEN,  
in his capacity as Chief of Police for CITY OF  
SAN LEANDRO; and, DOES 1-25, inclusive,  
individually, and in their capacity as San  
Leandro police officers,

Defendants.

Case No: C07-03509 PJH

**PARTIES' STIPULATION AND [Proposed]  
ORDER ALLOWING PLAINTIFFS TO  
FILE A FIRST AMENDED COMPLAINT**

Complaint Filed: July 5, 2007

1 THE PARTIES HEREBY STIPLATE TO THE FOLLOWING:

2 Plaintiffs will be filing a First Amended Complaint within the next thirty days. As such, the  
3 Defendants will not be filing a responsive pleading to the Complaint currently on file, but will file a  
4 responsive pleading to the First Amended Complaint.

5  
6 Dated: November 27, 2007

Respectfully submitted,

7 LAW OFFICES OF GAYLA B. LIBET

8  
9 By: \_\_\_\_\_/s/

10 Gayla B. Libet  
11 Attorneys for Plaintiffs  
12 LIONEL ALLEN, RALPH DAVIS, MICHAEL OATEZ,  
MONICA OATEZ, M.O., MICHAEL FLEURY and  
JOHNNY STOKES

13 Dated: November 27, 2007

Respectfully submitted,

14 MEYERS, NAVE, RIBACK, SILVER & WILSON

15  
16 By: \_\_\_\_\_/s/

17 Tricia L. Hynes  
18 Attorneys for Defendants  
19 CITY OF SAN LEANDRO and  
CHIEF JOSEPH KITCHEN

20 IT IS SO ORDERED:

21  
22 Dated: \_\_\_\_\_

23  
24 \_\_\_\_\_  
25 HONORABLE PHYLLIS J. HAMILTON  
26 Judge, United States District Court, Northern District  
27  
28

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